

May 16, 2018

Mr. Lawrence Goldzband, Executive Director
San Francisco Bay Conservation and Development Commission
455 Golden Gate Avenue, Suite 10600
San Francisco, California 94102
Email: larry.goldzband@bcdcc.ca.gov

Transmitted via Electronic Mail

RE: Consistency Determination No. C2018.003.00, U.S. Army Corps of Engineers, San Francisco District, Maintenance Dredging 2018-2019

Dear Mr. Goldzband and Commissioners,

On behalf of San Francisco Baykeeper ("Baykeeper") and our over five thousand members and supporters who use and enjoy the environmental, recreational, and aesthetic qualities of San Francisco Bay and its surrounding tributaries and ecosystems, we respectfully submit these comments for consideration by the San Francisco Bay Conservation and Development Commission ("BCDC"), regarding the Consistency Determination for the U.S. Army Corps of Engineers, San Francisco District's ("Corps") proposed maintenance dredging operations in San Francisco Bay for the years 2018 and 2019 (the "Project"). As proposed by the Corps, the Project is inconsistent with the San Francisco Bay Plan ("Bay Plan"), and is thereby also inconsistent with the federal Coastal Zone Management Act, 16 U.S.C. §§ 1451 *et seq.* ("CZMA"). Baykeeper supports the Staff Recommendation that the Commission conditionally concur with the Corps' Consistency Determination for 2018 and 2019. The conditions included in the Staff Recommendation are necessary to ensure that the Project is consistent to the maximum extent practicable with the Bay Plan, including but not limited to Dredging Policies 1, 2, 3, 4, 5, 6, and 12; Fish, Other Aquatic Organisms and Wildlife Policies 1, 2, and 4; Subtidal Areas Policies 1, 2, and 5; and Water Quality Policies 1 and 2. Baykeeper strongly urges the Commission to adopt the Staff Recommendation, and apply all of the conditions identified in Section II of the Staff Recommendation to the Consistency Determination for the Corps' 2018 and 2019 proposed maintenance dredging operations.

Sincerely,



Nicole C. Sasaki
Associate Attorney
San Francisco Baykeeper

Cc via electronic mail:
Brenda Goeden, Sediment Program Manager
Email: brenda.goeden@bcdcc.ca.gov

From: "Beatty, Jason" <jbeatty@ci.petaluma.ca.us>

Date: Wednesday, May 16, 2018 at 2:04 PM

To: "Boyette, James S CIV USARMY CESPN (US)" <James.S.Boyette@usace.army.mil>

Cc: "St. John, Dan" <DSTJOHN@ci.petaluma.ca.us>, "Goeden, Brenda@BCDC" <brenda.goeden@bcdcc.ca.gov>, "scarrol@ducks.org" <scarrol@ducks.org>, "Carothers, Kent" <kcarothers@ci.petaluma.ca.us>

Subject: Petaluma River Dredging

Jody,

Good morning. I'm reaching out as I just was forwarded the attached response from BCDC from one of our stakeholders that uses the Petaluma River frequently. After reading through it, I see a role that the City could have in partially resolving some of the concerns raised.

I wanted to explain, although Shollenberger re-handling site is ready and available for the Upper River dredging event, I had it in my mind that the City of Petaluma would apply for the Measure AA Grant again in the Fall for funds to beneficially re-use the sediment from dredging the Petaluma River Federal channel (Upper River and Across the Flats) and our marina and have it taken directly to Cullinan Ranch, or perhaps Petaluma Farm, if it becomes available. I see this as a way for the non-federal sponsor on our project to provide funds to support the incremental cost of going to beneficial re-use.

I know there are many steps to be taken between now and then, but wanted to communicate this intent early in the process in case it has an impact on the steps and may help partially resolve some of the issues I see in the attached. This avenue may help us meet the LTMS goals for beneficial re-use in 2019, with ~600,000CY from the Petaluma project being 20% of the 2,975,000 CY of material to be dredged by USACE in 2019.

In order for this to happen: 1) the sediment must be determined suitable for beneficial re-use placement; 2) Cullinan would need to have availability and we'd need to have some agreement in place for receiving the material; 3) we'd need to be successful in obtaining the Measure AA grant funds; 4) The Petaluma River Federal channel project would need to be funded; 5) and the Federal dredging contract for Petaluma, I would think, would need to be bid with beneficial re-use placement as an alternate to placing material at Shollenberger and SF-10.

Brenda and Steve,

I've cc'd you in case you see any insurmountable obstacles to this approach.

Kind regards,

Jason Beatty, P.E.

Senior Civil Engineer

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